

126 FERC ¶ 61,190  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

March 2, 2009

In Reply Refer To:  
Northern Natural Gas Company  
Docket Nos. RP09-232-000 and  
RP09-232-001

Northern Natural Gas Company  
1111 South 103<sup>rd</sup> Street  
Omaha, NE 68124-1000

Attention: Mary Kay Miller  
Vice President, Regulatory and Government Affairs

Ladies and Gentlemen:

1. On January 21, 2009, Northern Natural Gas Company (Northern) filed in Docket No. RP09-232-000 revised tariff sheets<sup>1</sup> to Northern's FERC Gas Tariff, Fifth Revised Volume No.1 to accommodate minor formatting variances. On February 3, 2009, Northern filed additional service agreement revisions in Docket No. RP09-232-001. We accept the revised tariff sheets to be effective February 21, 2009, and reject the three tariff sheets filed in Northern's original filing, as moot, as listed in the Appendix.

2. Northern states that the proposed revisions ensure that the service agreements being produced from Northern's contract management system, and tendered to the customers match the *pro forma* service agreements in its tariff. According to Northern, the proposed revisions involve placement of provisions on the page, capitalization, punctuation, and spacing on the forms of service agreements. Finally, Northern states that the proposed revisions are non-material items that will not impact customers or service on Northern's system.

3. Notice of Northern's filing in Docket No. RP09-232-000 issued on January 23, 2009. Notice of Northern's filing in Docket No. RP09-232-001 issued on February 13, 2009. Interventions and protests were due as provided in section 154.210 of the Commission's regulations, 18 C.F.R. §154.210. Pursuant to Rule 214, 18 C.F.R. § 385.214, all timely filed motions to intervene and any motions to intervene out-of-time

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<sup>1</sup> See Appendix.

filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt this proceeding or place additional burdens on existing parties. Minnesota Energy Resources Corporation, and Northern Municipal Distributors Group and Midwest Region Gas Task Force Association (MNDG/MRGTF) filed comments. MNDG/MRGTF stated that it is their understanding that no substantive changes are being proposed in the January 21 filing, and that currently effective service agreements will not be revised as a result of this filing.

4. In its comments, Minnesota Energy Resources Corporation questions the deletion of the bracketed phrase “[as amended]” from the form of service agreements. Minnesota Energy Resources Corporation asserts that, while it is true that a *pro forma* agreement is not an amendment, it is possible that, at some time during the term, Northern and the shipper would amend within the base agreement. Accordingly, Minnesota Energy Resources Corporation concludes that it is reasonable to retain the bracketed phrase “[as amended]” in the form agreements.

5. On February 6, 2009, Northern filed an answer. Northern explains that the words “as amended” are contained in brackets, and are optional. Northern explains, further, that since the paragraph in which the words are located is in the form of a service agreement for the base contract, rather than an amendment, it never includes the phrase in the actual base contracts. Northern concludes, therefore, that it is appropriate for the bracketed words to be removed because they are contained in the form of service agreement.

6. The Commission finds Northern’s explanation reasonable, and accepts Northern’s revised tariff sheets effective February 21, 2009.

By direction of the Commission. Commissioner Kelliher is not participating.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

cc: All Parties

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**Northern Natural Gas Company**  
**FERC Gas Tariff, Fifth Revised Volume No. 1**

*Tariff Sheets Accepted Effective February 21, 2009:*

Seventh Revised Sheet No. 400  
Fifth Revised Sheet No. 400A  
Sixth Revised Sheet No. 401  
Fifth Revised Sheet No. 402  
Seventh Revised Sheet No. 403  
Eighth Revised Sheet No. 403A  
Fourth Revised Sheet No. 404  
Fourth Revised Sheet No. 406  
Second Revised Sheet No. 406A  
Third Revised Sheet No. 407  
Fourth Revised Sheet No. 408  
Second Revised Sheet No. 408A  
Fourth Revised Sheet No. 409  
Second Revised Sheet No. 409A  
Seventh Revised Sheet No. 431  
Second Revised Sheet No. 43 IA  
Fourth Revised Sheet No. 432  
Seventh Revised Sheet No. 441  
Second Revised Sheet No. 441A  
Seventh Revised Sheet No. 442  
Fourth Revised Sheet No. 442A  
Original Sheet No. 442A.01  
Fourth Revised Sheet No. 442B  
Sixth Revised Sheet No. 443  
Second Revised Sheet No. 443A  
Fourth Revised Sheet No. 444  
Fifth Revised Sheet No. 445  
Seventh Revised Sheet No. 446  
Second Revised Sheet No. 446A  
Fifth Revised Sheet No. 447  
Third Revised Sheet No. 448  
Third Revised Sheet No. 452  
Fourth Revised Sheet No. 453  
Third Revised Sheet No. 455  
Second Revised Sheet No. 457  
Fifth Revised Sheet No. 458  
Second Revised Sheet No. 458A  
Third Revised Sheet No. 461  
Second Revised Sheet No. 462

Appendix (cont'd)

**Northern Natural Gas Company**  
**FERC Gas Tariff, Fifth Revised Volume No. 1**

*Tariff Sheets Rejected as Moot:*

Seventh Revised Sheet No. 403A

Sixth Revised Sheet No. 442

Second Revised Sheet No. 448